S.B. CIVIL MISC. APPEAL NO. 589/2006

Date : 04.05.2006

HON'BLE MR. BHAGWATI PRASAD, J.

Mr. M.L. Khatri the appellant.

== = =

Heard.

The deceased in the present case was alleged to be a masonry artisan. His income according to the Tribunal was assessed @ Rs.70 per day. He was resident of Baitu, Distt. Barmer, a desert dwelling. Learned counsel for the appellant arguing the case for enhancement urged that masonry workers get a higher remuneration. Except the evidence of the claimant herself, no positive evidence has been adduced to establish that the deceased was a skillful artisan. The tribunal has come to the conclusion that he was a worker and in that background, in desert districts, income could not have been more than what has been assessed by the tribunal. In that view of the matter, the claimants have been awarded a claim of Rs. 2,92,000/- which is not cosidered less in any manner. No case for interference is made out. The appeal having no force is hereby dismissed.

(BHAGWATI PRASAD), J.

bjsh